UNITED STATES PATENT AND TRADEMARK OFFICE

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Vedder Price PC
222 NORTH LASALLE STREET
CHICAGO, IL 60601

EXAMINER
BURGDORF, STEPHEN

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	10/598,384	NARESSI ET AL.
	Examiner	Art Unit	
	STEPHEN BURGDORF	2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on *23 September 2008*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-24* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-24* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *25 August 2006* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date *8/25/2006, 5/25/2010*.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____ .

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statements submitted on 25-August-2006 and 25-May-2010 have been considered by the Examiner and made of record in the application file.

Claim Objections

2. **Claims 22 and 24** are objected to because of the following informalities: Appropriate correction is required.

2.1. **Claim 22** is objected to because the Examiner believes that "*the controller provide combination RFID tag content....*" contains a typographical error and that it should read "the controller provides the combination...."

2.2. **Claim 24** is objected to because the Examiner believes that "*claim 23 the stored....*" contains a typographical error and should read, "claim 23 wherein the stored...."

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

3.1. **Claim 1** recites the limitation "*the RFID tags*" in the first method step. There is

insufficient antecedent basis for this limitation in the claim.

3.2. **Claim 2** is rejected under 35 U.S.C. 112, second paragraph, as being

incomplete for omitting essential steps, such omission amounting to a gap

between the steps. See MPEP § 2172.01. The omitted steps are: The

preamble states that the method is for obtaining media content, but there are no

steps presented in the claim for selecting, obtaining, providing, or any other

action with respect to media or content.

3.3. **Claim 4 depending from claim 2** is rejected under 35 U.S.C. 112, second

paragraph, as being incomplete for omitting essential steps, such omission

amounting to a gap between the steps. See MPEP § 2172.01. The additional

limitations recited in this claim fail to cure the deficiencies of the parent claim.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set
forth in section 102 of this title, if the differences between the subject matter sought to be patented
and the prior art are such that the subject matter as a whole would have been obvious at the time the
invention was made to a person having ordinary skill in the art to which said subject matter pertains.
Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability

of the claims under 35 U.S.C. 103(a), the Examiner presumes that the subject

matter of the various claims was commonly owned at the time any inventions

covered therein were made absent any evidence to the contrary. Applicant is

advised of the obligation under 37 CFR 1.56 to point out the inventor and invention

dates of each claim that was not commonly owned at the time a later invention was

made in order for the Examiner to consider the applicability of 35 U.S.C. 103(c) and

potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148

USPQ 459 (1966), that are applied for establishing a background for determining

obviousness under 35 U.S.C. 103(a) are summarized as follows:

1.   Determining the scope and contents of the prior art.
2.   Ascertaining the differences between the prior art and the claims at issue.
3.   Resolving the level of ordinary skill in the pertinent art.
4.   Considering objective evidence present in the application indicating obviousness or
       nonobviousness.

4.1. **Claims 1-8, 14-21 and 23-24** are rejected under 35 U.S.C. 103(a) as being

unpatentable over **Fraier et al. (United States Patent Application Publication**

 # US 2003/0001016 A1), (hereinafter Fraier) in view of **Want et al. (United**

States Patent # 6,008,727), (hereinafter Want).

4.1.1. Consider **claim 1**: *a method for selecting at least one digital media content*

from at least one media content source, Fraier discloses, [abstract] a

method for accessing multimedia (digital) content using physical bookmarks;

comprising:

selecting a mutual spatial arrangement of the RFID tags;

receiving data representing a plurality of content identifiers obtained

from a plurality of different RFID tags;

detecting said mutual spatial arrangement; and

providing different digital media content in accordance with said

arrangement; Fraier further discloses, [abstract] the receiving of multimedia

content from an external server based on the token identity information.

Fraier does not disclose the use of combinations or arrangements of

tags to identify desired content.

Want, in an analogous system and method for transferring electronic

information using multiple electronic tags, discloses [Col. 2, lines 21-27] that

electronic (RFID) tags are read by computers in the support of digital

services, [Col. 2, lines 28-36] that tags are attached to physical objects and

have identification information, [Col. 2, line57 to Col. 3, line 1] that the

information when read, is evaluated for proper association to a data base or

instruction, and if not, corrective action is taken, [Col. 3, lines 23-43] that

information from a specific tag can be considered a "senseme" and that

groups of sensemes may form sentence like structures with grammatical

rules, evaluated by the system for specific complex meaning. Want further

discloses, [Col. 3, lines 7-22] that the objects containing the tag, may

contain one or more of a variety of sensors, which may include relative

spatial or absolute positional sensors, and that information derived from

these sensors may be part of the information read when the object is

presented, and that this information may be used by the user interface.

Therefore, it would have been obvious to a person of ordinary skill in

the art at the time the invention was made to include relative or absolute

sensors in the tag equipped objects, to arrange objects with the intent to

convey information, to read this sensor information along with the tag

identification and to use the relative spatial arrangement information as

taught by Want in the method of obtaining media content of Fraier for the

purpose of making digital services (media content) requests.

4.1.2. Consider **claim 2**:

Note: this claim stands rejected under 35 USC § 112, 2nd paragraph

for omitting essential steps; the Examiner therefore has assumed that an

additional step of obtaining content based on first and second RFID tag

information.

a method for obtaining at least one of digital media content and

content from at least one content source; Fraier discloses, [abstract] a

method for accessing multimedia (digital) content using physical bookmarks,

comprising:

receiving first RFID tag information from a first RFID tag enabled

object; Fraier further discloses [Para. 0075], that physical bookmarks

(tokens) may be or contain RFID tags, [abstract] that a token may be placed

in a device receptacle and its identification code read.

receiving at least second RFID tag information from at least a second

RFID tag enabled object; Fraier further discloses, [abstract] that there may

be more than one token (second) and that different tokens contain different

identification codes associated with different media content, *and*

using the first and second RFID tag information from both the first

and second RFID tag enabled objects to determine whether a proper

combination of RFID enabled objects are present; Fraier further discloses

[Fig. 10 and Para. 00125 and 00126], a step wherein the identification code

(from the token) is evaluated, both to determine that it properly maps to a

URL for media content and also that it is suitable and authorized for the

user. Fraier includes a step [Fig.10] of transmitting content to the user

computer. **Fraier does not disclose use or evaluation of token**

information in combination to determine if the combination is proper.

Want, in an analogous system and method for transferring electronic

information using multiple electronic tags, discloses [Col. 2, lines 21-27] that

electronic (RFID) tags are read by computers in the support of digital

services, [Col. 2, lines 28-36] that tags are attached to physical objects and

have identification information, [Col. 2, line57 to Col. 3, line 1] that the

information when read, is evaluated for proper association to a data base or

instruction, and if not, corrective action is taken, [Col. 3, lines 23-43] that

information from a specific tag can be considered a "senseme" and that

groups of sensemes may form sentence like structures with grammatical

rules, evaluated by the system for specific complex meaning, and

specifically, [Fig. 7 and Col.15, lines 5-10] that a second reading of the same

information is evaluated to determine whether it is a second tag or a "double

reading", [Col. 15, lines 26-35] an exemplary process wherein a second tag

is read and because the information mapped to database information, the

combination of the first and second tag information is used to issue a

command; and further [Col. 15, lines 50 62], that the system may interpret

multiple reading of the same information as proper, based on context.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to read and combine information from a plurality of tags, to form sentence-like commands with grammatical structure, and to evaluate tag information for proper and appropriate context as taught by Want in the method of obtaining media content of Fraier for the purpose of creating complex commands.

4.1.3. Consider **claim 3 and as applied to claim 2**: *wherein using the first and second RFID tag information from both the first and second RFID tag enabled objects includes comparing the at least first and second RFID tag information with an expected combination of desired RFID tag information and facilitating access to specific content when the combination of the at least first and second RFID tag information matches the expected combination of desired RFID tag information;* **Fraier does not disclose the use of combinations of RFID tags.** Want discloses, [Col. 3, lines 23-43] that information from a specific tag can be considered a "senseme" and that groups of sensemes may form sentence like structures with grammatical rules, evaluated by the system for specific complex meaning and wherein tag information is presented and used in combinations and sequences in conformance with grammatical and contextual rules, and [Col. 3, line 44 to Col. 4, line 11], an example of obtaining access to content (printing a document) based on a series of expected information senseme types.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to read expected combinations of tag information, to form sentence-like commands with grammatical structure, for the purpose of obtaining access to specific content as taught by Want in the method of obtaining media content of Fraier.

4.1.4. Consider **claim 4 and as applied to claim 2**:

Note: this claim stands rejected under 35 USC § 112, 2nd paragraph for omitting essential steps; the Examiner therefore has assumed that an additional step of obtaining content based on first and second RFID tag information.

including determining whether the first and second RFID tag information from both the first and second RFID tag enabled objects have been received within an acceptable time period with respect to one another; **Fraier does not disclose the use of combinations of RFID tags.** Want discloses, [Col.15, lines 5-10] that a second reading of the same information is evaluated to determine whether it is a second tag or a "double reading", and [Col. 15, lines 26-35] an exemplary process wherein a second reading of the same information within a short period is interpreted to be additional command information, and wherein after a specified amount of time has passed without new readings, it is interpreted that the intended instructions are complete.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to determine whether readings have been received within an acceptable time with respect to one another as taught by Want in the method of obtaining media content of Fraier for the purpose of determining whether a tag was double read or if an intended command is complete.

4.1.5. Consider **claim 5 and as applied to claim 2**: *including receiving RFID reader identification information associated with each of the first and second first and second RFID tag enabled objects and determining whether the first and second RFID tag information were read by at least one appropriate RFID tag reader, and facilitating access to specific content when the combination of the at least first and second RFID tag information are deemed to have been read by at least one appropriate RFID tag reader;* **Fraier does not disclose the use of combinations of RFID tags.** Want discloses, [Col. 3, line 44 to Col. 4, line 11], a single tag reader connected to a computer and an example of obtaining access to content (printing a document) based on a series or sequence of information read by the reader. The process includes conveyance of a personal information number, logging on a network and establishment of authorization, all of which demonstrate that the user and associated computer/reader are an appropriate source.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include personal identification numbers, authentication codes or login procedures as taught by Want in the method of obtaining media content of Fraier for the purpose of determining whether user or associated reader is authorized and appropriate to issue requests and receive content.

4.1.6. Consider **claim 6 and as applied to claim 2**: *including providing access to particular media or content based on whether:*

the first and second RFID tag information from both the first and second RFID tag enabled objects are received in a particular order, or

the first and second RFID tag information are in a desired mutual spatial arrangement; **Fraier does not disclose the use of combinations of RFID tags.** Want discloses, [Col. 3, line 23 to Col. 4, line 11], a system where individual readings of tag information (sensemes) are combined into sentence-like structures in accordance with grammatical rules which govern the order and form of individual sensemes to form a valid media request, and an example of obtaining access to content (printing a document) based on a specific series or sequence of information read by the reader, and [Col. 8, lines 54-65] specifically that a digital service may be invoked as a function of the order in which the tags are presented.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to use the order that tags are read to form sentence-like structure as taught by Want in the method of obtaining media content of Fraier for the purpose of creating complex media access requests.

4.1.7. Consider **claim 7 and as applied to claim 2:** *including storing data representing combination RFID tag content identification information that identifies at least one of downloadable digital content and media corresponding to an expected combination of RFID enabled objects;* **Fraier does not disclose the use of combinations of RFID tags.** Want discloses, [Fig. 6 and 7, and Col. 14, line 45 to Col. 15, line 62], an exemplary system and method where information from a number of tags is read sequentially, including: a corporate ID (with tag) [Col. 14, line 62], which is read and loaded (stored), a binder clip (with tag) [Col. 15, line 19], which is read and loaded, a network printer (with tag) [Col. 15, line 36], which is read and loaded, and again the network printer [Col. 15, line 50] which is again loaded (and interpreted to mean 2 copies), and finally, after an additional time has elapsed the command associated with the combination of the plurality of tags read, is issued to print the media specified by and associated with the command, therefore teaching that

information of a plurality of tags is stored, and [Fig. 7] that tag information is

checked with a database to see whether it exists (is expected).

Therefore, it would have been obvious to a person of ordinary skill in

the art at the time the invention was made to use a combination of tag

information, which is collected, stored and checked to verify its existence in

a database, as taught by Want in the method of obtaining media content of

Fraier for the purpose of specifying media and associated desired action.

4.1.8. Consider **claim 8 and as applied to claim 7:** *wherein the stored data*

representing combination RFID tag content identification information

identifies downloadable content or media that is different from stored content

identification information associated with each of the RFID tags information

individually; **Fraier does not disclose the use of combinations of RFID**

tags. Want discloses, [Fig. 8, and Col. 15, line 63 to Col. 16, line 23], the

use of a device that allows selective enablement of one of ten RFID tags,

each representing a decimal digit, and the use of this device to provide

information through sequential activation. It is obvious that information

representing the digit 2 and information representing the digit 5 may have

separate meanings from one another and also different from the information

when these tags are presented together (as 25 or 52).

Therefore, it would have been obvious to a person of ordinary skill in

the art at the time the invention was made that the meaning of information

presented by two tags in separate fashion may be different from one another

and also different from the meaning conveyed when they are presented

together as taught by Want in the method of obtaining media content of

Fraier for the purpose of providing a low cost "dialing system".

4.1.9. Consider **claim 14**: *a method for obtaining at least one of digital media*

content and content from at least one content source, Fraier discloses,

[abstract] a method for accessing multimedia (digital) content using physical

bookmarks *comprising:*

contactlessly reading a plurality of RFID tags associated with a

plurality of RFID enabled objects to obtain a plurality of RFID tag

information; Fraier further discloses [Para. 0075], that physical bookmarks

(tokens) may be or contain RFID tags, [abstract] that a token may be placed

in a device receptacle and it's identification code read, and that there may

be more than one token (a plurality) and that different tokens contain

different identification codes associated with different media content;

determining whether each of the read plurality of RFID tag

information has been read within a suitable time period with respect to each

other and if so,

sending the read plurality of RFID tag information for receipt by a content

delivery authorization unit to determine if downloadable content is available

for download that is based on the specific combination of read RFID tag;

Fraier further discloses, [abstract] the receiving of multimedia content from an external server based on the token identity information, and [Para. 0016, 0063 and 0064] that a facility may exist to provide user and or account information, that various accounts may have different access to specific media content, and that the a server may determine whether the media content requested is authorized . **Fraier does not disclose the use of combinations of tags to identify desired content or the time period between the reading of tokens.**

Want, in an analogous system and method for transferring electronic information using multiple electronic tags, discloses [Col. 2, lines 21-27] that electronic (RFID) tags are read by computers in the support of digital services, [Col. 2, lines 28-36] that tags are attached to physical objects and have identification information, [Col. 2, line57 to Col. 3, line 1] that the information when read, is evaluated for proper association to a data base or instruction, and if not, corrective action is taken, [Col. 3, lines 23-43] that information from a specific tag can be considered a "senseme" and that groups of sensemes may form sentence like structures with grammatical rules, evaluated by the system for specific complex meaning.

Want further discloses, [Fig. 6 and Col.15, lines 5-10] that a second reading of the same information is evaluated to determine whether it is a second tag or a "double reading", and [Col. 15, lines 26-35] an exemplary process wherein a second reading of the same information within a short

period is interpreted to be additional command information, and wherein

after a specified amount of time has passed without new readings, it is

interpreted that the intended instructions are complete.

Therefore, it would have been obvious to a person of ordinary skill in

the art at the time the invention was made to measure the time period

between the presentation of tags as taught by Want in the method of

obtaining media content of Fraier to determine whether double reading

errors have occurred, to determine when a command sequence is ended

and to determine whether the command syntax and digital content is

understood and available to the user.

4.1.10.   Consider **claim 15 and as applied to claim 14**: *including refraining*

from sending the read plurality of RFID tag information for receipt by the

content delivery authorization unit and providing user feedback information

indicating that the combination of RFID enabled objects were not approved;

Fraier discloses [Fig. 10 and Para. 0123] that if content is not available or

suitable (authorized) for the user, an error message is sent.

4.1.11.   Consider **claim 16 and as applied to claim 14**: *including*

presenting user information indicating that a plurality of RFID enabled

objects have been detected; Fraier discloses [Fig. 10 and Para. 0123] that if

content is not available or suitable (authorized) for the user, an error

message is sent. **Fraier does not disclose the use of combinations of
RFID tags.**

Want discloses, [Col. 2, lines 47-56] that user feedback (status light,
blinking LED or display icon) is provided for each tag as the information is
read, or the reading of combinations of tags.

Therefore, it would have been obvious to a person of ordinary skill in
the art at the time the invention was made to provide user feedback as a
plurality of tags are read as taught by Want in the method of obtaining media
content of Fraier to demonstrate to the user that the tags have been
detected.

4.1.12.   Consider **claim 17 and as applied to claim 14**: *including:*

*obtaining particular media content or content based on the particular
combination of the plurality of RFID tag information;* Fraier discloses
[Abstract] that media content is obtained based on the tokens presented to
the reader, *and*

playing the obtained media content using a media playing device;
Fraier further discloses [Para. 0010and 0011] that media content sent to the
user may be delivered through a PC or digital appliance to a display device.

4.1.13.   Consider **claim 18**: *A network element,* Fraier discloses, [abstract]

an apparatus for accessing multimedia (digital) content using physical

bookmarks from a content server, *comprising:*

a communication interface operative to receive, via a communication

link, first RFID tag information from a first RFID tag enabled object, and at

least second RFID tag information from at least a second RFID tag enabled

object; Fraier further discloses [Para. 0075], that physical bookmarks

(tokens) may be or contain RFID tags, [abstract] that a token may be placed

in a device receptacle (communication interface) and it's identification code

read, and [abstract] that there may be more than one token (second) and

that different tokens contain different identification codes associated with

different media content *and*

a controller, operatively coupled to the communication interface, and

operative to use the first and second RFID tag information from both the first

and second RFID tag enabled objects to determine whether a proper

combination of RFID enabled objects have been presented to an RFID

reading device; Fraier further discloses [Fig. 3] a microcontroller, wherein

[Fig. 10 and Para. 00125 and 00126], the identification code (from the token)

is evaluated, both to determine that it properly maps to a URL for media

content and also that it is suitable and authorized for the user. **Fraier does**

not disclose use or evaluation of token information in combination to

determine if the combination is proper.

Want, in an analogous system and method for transferring electronic

information using multiple electronic tags, discloses [Col. 2, lines 21-27] that

electronic (RFID) tags are read by computers in the support of digital

services, [Col. 2, lines 28-36] that tags are attached to physical objects and

have identification information, [Col. 2, line57 to Col. 3, line 1] that the

information when read, is evaluated for proper association to a data base or

instruction, and if not, corrective action is taken, [Col. 3, lines 23-43] that

information from a specific tag can be considered a "senseme" and that

groups of sensemes may form sentence like structures with grammatical

rules, evaluated by the system for specific complex meaning, and

specifically, [Fig. 7 and Col.15, lines 5-10] that a second reading of the same

information is evaluated to determine whether it is a second tag or a "double

reading", [Col. 15, lines 26-35] an exemplary process wherein a second tag

is read and because the information mapped to database information, the

combination of the first and second tag information is used to issue a

command; and further [Col. 15, lines 50 62], that the system may interpret

multiple reading of the same information as proper, based on context.

Therefore, it would have been obvious to a person of ordinary skill in

the art at the time the invention was made to read and combine information

from a plurality of tags, to form sentence-like commands with grammatical

structure, and to evaluate tag information for proper and appropriate context

as taught by Want in the apparatus for obtaining media content of Fraier for

the purpose of creating complex commands.

4.1.14.   Consider **claim 19 and as applied to claim 18**: *wherein the*

controller is operative to compare the at least first and second RFID tag

information with an expected combination of desired RFID tag information

and outputs specific content identification information for communication by

the communication interface when the combination of the at least first and

second RFID tag information matches the expected combination of desired

RFID tag information; **Fraier does not disclose the use of combinations**

of RFID tags. Want discloses, [Col. 3, lines 23-43] that information from a

specific tag can be considered a "senseme" and that groups of sensemes

may form sentence like structures with grammatical rules, evaluated by the

system for specific complex meaning and wherein tag information is

presented and used in combinations and sequences in conformance with

grammatical and contextual rules, and [Col. 3, line 44 to Col. 4, line 11], an

example of obtaining access to content (printing a document) based on a

series of expected information senseme types.

        Therefore, it would have been obvious to a person of ordinary skill in

the art at the time the invention was made to read expected combinations of

tag information, to form sentence-like commands with grammatical structure,

for the purpose of obtaining access to specific content as taught by Want in the apparatus for obtaining media content of Fraier.

4.1.15.   Consider **claim 20 and as applied to claim 18**: *wherein the controller includes timing logic operative to determine whether the first and second RFID tag information from both the first and second RFID tag enabled objects have been received within an acceptable time period with respect to one another;* **Fraier does not disclose the use of combinations of RFID tags.** Want discloses, [Col.15, lines 5-10] that a second reading of the same information is evaluated to determine whether it is a second tag or a "double reading", and [Col. 15, lines 26-35] an exemplary process wherein a second reading of the same information within a short period is interpreted to be additional command information, and wherein after a specified amount of time has passed without new readings, it is interpreted that the intended instructions are complete.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to determine whether readings have been received within an acceptable time with respect to one another as taught by Want in the apparatus for obtaining media content of Fraier for the purpose of determining whether a tag was double read or if an intended command is complete.

4.1.16.   Consider **claim 21 and as applied to claim 18:** *wherein the*

controller receives RFID reader identification information associated with

each of the first and second first and second RFID tag enabled objects and

determines whether the first and second RFID tag information were read by

at least one appropriate RFID tag reader, and facilitating access to specific

content when the combination of the at least first and second RFID tag

information are deemed to have been read by at least one appropriate RFID

tag reader; **Fraier does not disclose the use of combinations of RFID**

tags. Want discloses, [Col. 3, line 44 to Col. 4, line 11], a single tag reader

connected to a computer and an example of obtaining access to content

(printing a document) based on a series or sequence of information read by

the reader. The process includes conveyance of a personal information

number, logging on a network and establishment of authorization, all of

which demonstrate that the user and associated computer/reader are an

appropriate source.

Therefore, it would have been obvious to a person of ordinary skill in

the art at the time the invention was made to include personal identification

numbers, authentication codes or login procedures as taught by Want in the

apparatus for obtaining media content of Fraier for the purpose of

determining whether user or associated reader is authorized and

appropriate to issue requests and receive content.

4.1.17.   Consider **claim 23 and as applied to claim 18:** *including memory that stores data representing combination RFID tag content identification information that identifies at least one of downloadable digital content and media corresponding to an expected combination of RFID enabled objects;* **Fraier does not disclose the use of combinations of RFID tags.** Want discloses, [Fig. 6 and 7, and Col. 14, line 45 to Col. 15, line 62], an exemplary system and method where information from a number of tags is read sequentially, including: a corporate ID (with tag) [Col. 14, line 62], which is read and loaded (stored), a binder clip (with tag) [Col. 15, line 19], which is read and loaded, a network printer (with tag) [Col. 15, line 36], which is read and loaded, and again the network printer [Col. 15, line 50] which is again loaded (and interpreted to mean 2 copies), and finally, after an additional time has elapsed the command associated with the combination of the plurality of tags read, is issued to print the media specified by and associated with the command, therefore teaching that information of a plurality of tags is stored, and [Fig. 7] that tag information is checked with a database to see whether it exists (is expected).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to use a combination of tag information, which is collected, stored and verified to exist in a database as taught by Want in the apparatus for obtaining media content of Fraier for the purpose of specifying media and associated desired action.

4.1.18.   Consider **claim 24 and as applied to claim 23:** *the stored data*

representing combination RFID tag content identification information

identifies downloadable content or media that is different from stored content

identification information associated with each of the RFID tags information

individually; **Fraier does not disclose the use of combinations of RFID**

tags. Want discloses, [Fig. 8, and Col. 15, line 63 to Col. 16, line 23], the

use of a device that allows selective enablement of one of ten RFID tags,

each representing a decimal digit, and the use of this device to provide

information through sequential activation. It is obvious that information

representing the digit 2 and information representing the digit 5 may have

separate meanings from one another and also different from the information

when these tags are presented together (as 25 or 52).

Therefore, it would have been obvious to a person of ordinary skill in

the art at the time the invention was made that the meaning of information

presented by two tags in separate fashion may be different from one another

and also different from the meaning conveyed when they are presented

together as taught by Want in the apparatus for obtaining media content of

Fraier for the purpose of providing a low cost "dialing system".

4.2. **Claims 9-13** are rejected under 35 U.S.C. 103(a) as being unpatentable over

Fraier et al. (United States Patent Application Publication # US

2003/0001016 A1), (hereinafter Fraier) in view of **Want et al. (United States**

Patent # 6,008,727), (hereinafter Want), and further in view of **Chipchase et al.**

(United States Patent Application Publication # US 2006/0158341 A1),

(hereinafter Chipchase).

4.2.1. Consider **claim 9**: *a method for selecting digital media content from at*

least one media content Fraier discloses, [abstract] a method for accessing

multimedia (digital) content using physical bookmarks, *comprising:*

receiving data representing a plurality of content identifiers obtained

from a plurality of different RFID tags associated with a plurality of RFID

enabled media objects; Fraier further discloses [Para. 0075], that physical

bookmarks (tokens) may be or contain RFID tags, [abstract] that a token

may be placed in a device receptacle and it's identification code read, and

[abstract] that there may be more than one token (a plurality) and that

different tokens contain different identification codes associated with

different media content *and*

providing different combinations of media for downloading depending

on the combination of different received content identifiers; **Fraier does not**

disclose use token information in combination to specify media

content.

Want, in an analogous system and method for transferring electronic information using multiple electronic tags, discloses [Col. 2, lines 21-27] that electronic (RFID) tags are read by computers in the support of digital services, [Col. 2, lines 28-36] that tags are attached to physical objects and have identification information, [Col. 2, line57 to Col. 3, line 1] that the information when read, is evaluated for proper association to a data base or instruction, and if not, corrective action is taken, [Col. 3, lines 23-43] that information from a specific tag can be considered a "senseme" and that groups of sensemes may form sentence like structures with grammatical rules, evaluated by the system for specific complex meaning, and specifically, [Col. 2, lines 60-62] that an ASCII data base may be used to map tag identification numbers to one or more digital services, and [Fig. 7 and Col.15, lines 26-35] an exemplary process wherein a plurality of tags are read and because the information mapped to database information, the combination of the tag information is used to issue a command. **Want does not disclose that the plurality of tag identifiers may comprise a plurality of content identifiers.**

Chipchase, in an analogous device for directing the operation of a user's personal communication apparatus, discloses, [Abstract] an RFID tag reader connected to a mobile phone, wherein actions and processes on the phone may be automatically performed by the reading of an associated tag enabled object, [Fig. 8 and Para. 0048] that one application of the device is

for the downloading of digital and media content, and [Fig. 18b and Para. 0072] that a plurality of tags may be presented and that the two tag identifiers representing content access codes may be used singly or in combination, and that the access and response for the combination may be different from each of the individual identifiers.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to read and combine information from a plurality of tags, to form sentence-like commands with grammatical structure, and to use tag information as taught by Want and to allow the plurality of tag identifiers to include a plurality of content identifiers (in essence that the plural senseme "sentence" may include multiple "nouns") as taught by Chipchase in the method of obtaining media content for the purpose of specifying media and digital services of Fraier.

4.2.2. Consider **claim 10 and as applied to claim 9:** *including providing access to particular media content based on whether the plurality of different RFID tags and are presented to at least one RFID tag reader in a particular order;* **Fraier does not disclose the use of combinations of RFID tags.** Want discloses, [Col. 3, line 23 to Col. 4, line 11], a system where individual readings of tag information (sensemes) are combined into sentence-like structures in accordance with grammatical rules which govern the order and form of individual sensemes to form a valid media request, and an example

of obtaining access to content (printing a document) based on a specific

series or sequence of information read by the reader, and [Col. 8, lines 54-

65] specifically that a digital service may be invoked as a function of the

order in which the tags are presented.

Therefore, it would have been obvious to a person of ordinary skill in

the art at the time the invention was made to use the order that tags are

read to form sentence-like structure as taught by Want in the method of

obtaining media content of Fraier as modified by Want and Chipchase for

the purpose of creating complex media access requests.

4.2.3. Consider **claim 11 and as applied to claim 9:** *including providing access*

to particular media content based on whether the plurality of content

identifiers are received in a particular order; **Fraier does not disclose the**

use of combinations of RFID tags. Want discloses, [Fig. 8, and Col. 15,

line 63 to Col. 16, line 23], the use of a device that allows selective

enablement of one of ten RFID tags, each representing a decimal digit, and

the use of this device to provide information through sequential activation. It

is obvious that information representing the digit 2 and information

representing the digit 5 may have separate meanings from one another and

also different from the information when these tags are presented together

(as 25 or 52).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made that the meaning of content information presented by two tags in separate fashion may be different depending on the order in which presented, as taught by Want in the method of obtaining media content of Fraier as modified by Want and Chipchase, for the purpose of providing a low cost "dialing system".

4.2.4. Consider **claim 12 and as applied to claim 9:** *including storing data representing combination content identifiers that identifies at least one of downloadable digital content and media corresponding to an expected combination of RFID enabled objects;* **Fraier does not disclose the use of combinations of RFID tags.** Want discloses, [Fig. 6 and 7, and Col. 14, line 45 to Col. 15, line 62], an exemplary system and method where information from a number of tags is read sequentially, including: a corporate ID (with tag) [Col. 14, line 62], which is read and loaded (stored), a binder clip (with tag) [Col. 15, line 19], which is read and loaded, a network printer (with tag) [Col. 15, line 36], which is read and loaded, and again the network printer [Col. 15, line 50] which is again loaded (and interpreted to mean 2 copies), and finally, after an additional time has elapsed the command associated with the combination of the plurality of tags read, is issued to print the media specified by and associated with the command, therefore teaching that information of a plurality of tags is stored, and [Fig. 7]

that tag information is checked with a database to see whether it exists (is expected).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to use a combination of tag information, which is collected, stored and checked to verify its existence in a database, as taught by Want in the method of obtaining media content of Fraier as modified by Want and Chipchase, for the purpose of specifying media and associated desired action.

4.2.5. Consider **claim 13 and as applied to claim 12:** *wherein the stored data representing combination content identifiers identifies downloadable content or media that is different from stored content identification information associated with each of the content identifiers individually;* **Fraier does not disclose the use of combinations of RFID tags.** Chipchase, in an analogous device for directing the operation of a user's personal communication apparatus, discloses, [Abstract] an RFID tag reader connected to a mobile phone, wherein actions and processes on the phone may be automatically performed by the reading of an associated tag enabled object, [Fig. 8 and Para. 0048] that one application of the device is for the downloading of digital and media content, and [Fig. 18b and Para. 0072] that a plurality of tags may be presented and that the two tag identifiers representing content access codes may be used singly or in

combination, and that the access and response for the combination may be different from each of the individual identifiers.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made that a combination of tag information from a plurality of tags may have different meaning or represent different content than that of the tag information individually as taught by Chipchase in the method of obtaining media content of Fraier as modified by Want and Chipchase for the purpose of creating complex media access requests.

4.3. **Claim 22** is rejected under 35 U.S.C. 103(a) as being unpatentable over **Fraier et al. (United States Patent Application Publication # US 2003/0001016 A1)**, (hereinafter Fraier) in view of **Want et al. (United States Patent # 6,008,727)**, (hereinafter Want), and further in view of **Fontijn (United States Patent Application Publication # US 2006/0047603 A1)**.

4.3.1. Consider **claim 22 and as applied to claim 18**: *wherein the controller provides digital rights management and wherein the controller provide combination RFID tag content identification information for a content playing unit so that the content playing unit can access to particular media or content based on whether the first and second RFID tag information from both the first and second RFID tag enabled objects are received in a*

particular order; Fraier discloses that the controller evaluates[Fig. 10 and

Para. 00125 and 00126], the identification code (from the token) both to

determine that it properly maps to a URL for media content and also that it is

suitable and authorized for the user, and further [Para. 0050] that the play

unit can determine that the right to play a certain piece of multimedia that

requires purchase is present. **Fraier does not disclose the use of**

combinations of RFID tags or that the controller provides digital rights

management.

Want discloses, [Col. 3, line 23 to Col. 4, line 11], a system where

individual readings of tag information (sensemes) are combined into

sentence-like structures in accordance with grammatical rules which govern

the order and form of individual sensemes to form a valid media request,

and an example of obtaining access to content (printing a document) based

on a specific series or sequence of information read by the reader, and [Col.

8, lines 54-65] specifically that a digital service may be invoked as a function

of the order in which the tags are presented. **Want does not disclose that**

the controller provides digital rights management.

Fontijn, in an analogous system for managing digital rights, discloses

[Abstract] that a computing means (controller) transfers access control

information to a server of the content provider (content server).

Therefore, it would have been obvious to a person of ordinary skill in

the art at the time the invention was made to use the order that tags are

read to form sentence-like structure as taught by Want and to use the

controller to manage digital rights as taught by Fontijn the apparatus for

obtaining media content of Fraier for the purpose of creating complex media

access requests.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to

Applicant's disclosure.

Harrison et al. (U.S. Patent # US 6340931 B1) disclosing a network printer

document interface using electronic tags.

A system for identifying multiple electronic tags that include a plurality of electronic tags
attachable to a single object, each electronic tag having a unique identifier. One or more
electronic tag readers are configured to read the unique identifier of each electronic tag within
the non-overlapping readable region, and a computing system is connected to the electronic
tag reader to provide digital services in response to reading the unique identifier of each
electronic tag.

Casden (U.S. Patent # US 6828902 B2) disclosing wireless data input to RFID

reader.

A wireless data input system has one or more switches on a keypad or the like and a number
of individually addressable RFID tags. Each switch operates to enable a corresponding
subset of the individually addressable RFID transponder tags, such that a unique permutation
of tag codes recognized by a RFID reader identifies actuation of each particular switch or
key.

Pierce et al. (U.S. Patent # US 6840444 B2) disclosing a method for field

programming radio frequency identification return forms.

A method that allows one to mark information with a pencil on a label equipped with a RFID
type circuit, and have the marked information provided to the RFID circuit, or have the written
information cause the RFID circuit to supply information regarding the returned goods. The
marked entered information may be corrected by erasing the written information with a pencil

eraser and writing new information on the paper with a pencil. Information may also be marked into a RFID circuit or have the marked information cause the RFID circuit to perform some function by utilizing a standard ink jet computer printer to print lines on paper equipped with a RFID type circuit, by having the printed lines perform the function of wires. The aforementioned printed information may be modified by having an individual connect different printed wires by drawing a penciled line between the wires or by punching holes in the printed lines.

Byman-Kivivuori et al. (U.S. Patent Application Publication # US 20040002305

A1) disclosing a system, apparatus, and method for effecting network

connections via wireless devices using radio frequency identification.

A system, apparatus, and method for facilitating the initiation/execution of mobile services using radio frequency transponders. Transponders or "tags" having information associated therewith are provided at a location accessible to a mobile device user. A visual representation is associated with each of the transponders, where each visual representation corresponds to a communication function to be performed. A transponder is activated via a wireless signal transmitted by the mobile device in response to the mobile device being positioned proximate the visual representation associated with the transponder. The information from the activated transponder is received at the mobile device, which in turn invokes a mobile device application identified at least in part by the information received by the mobile device. The function corresponding to the visual representation is performed in response to invoking the mobile device application.

Aupperle et al. (U.S. Patent Application Publication # US 20050001719 A1)

disclosing object matching via RFID.

An object matching method, system and apparatus. The system can include a multiplicity of RFID tags storing corresponding tag data coupled individually to respective objects. Selected ones of the RFID tags can be programmed with tag data associating the selected ones of the RFID tags with one another. At least one RFID reader/interrogator can be configured to interrogate the RFID tags and responsive to the interrogation to read the corresponding tag data. Finally, matching logic can be programmed to determine whether interrogated ones of the RFID tags contain tag data indicating an association between coupled ones of the objects. Notably, the matching logic can be disposed in the RFID reader/interrogator.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to STEPHEN BURGDORF whose telephone number is (571)270-7328. The examiner can normally be reached on Monday-Friday 7:30 to 5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Benjamin Lee can be reached on (571)272-2963. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Stephen R Burgdorf/
Examiner, Art Unit 2612

/BENJAMIN C. LEE/
Supervisory Patent Examiner, Art Unit 2612